

1 **CELL PHONE RESTRICTION FOR TEEN**

2 **DRIVERS**

3 2007 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Kory M. Holdaway**

6 Senate Sponsor: Michael G. Waddoups

7

8 **LONG TITLE**

9 **General Description:**

10 This bill modifies the Motor Vehicles Code by amending provisions relating to driving
11 by minors.

12 **Highlighted Provisions:**

13 This bill:

14 ▶ prohibits a person younger than 18 years of age from using a wireless telephone
15 while operating a motor vehicle;

16 ▶ provides exceptions to the wireless telephone prohibition;

17 ▶ provides that it is an infraction for violating the wireless telephone prohibition;

18 ▶ provides that a violation is a reportable violation and requires the Driver License
19 Division to assess points against a person's driving record for being convicted of
20 violating the wireless telephone prohibition; and

21 ▶ makes technical changes.

22 **Monies Appropriated in this Bill:**

23 None

24 **Other Special Clauses:**

25 None

26 **Utah Code Sections Affected:**

27 ENACTS:



28 41-8-4, Utah Code Annotated 1953

29

30 *Be it enacted by the Legislature of the state of Utah:*

31 Section 1. Section 41-8-4 is enacted to read:

32 **41-8-4. Operation of vehicle by person under 18 -- Use of wireless telephones**
33 **prohibited -- Exceptions -- Penalty.**

34 (1) (a) Except as provided in Subsection (2), a person younger than 18 years of age,
35 whether a resident or nonresident of this state, may not use a wireless telephone while
36 operating a motor vehicle upon a highway of this state.

37 (b) The use of a wireless telephone under this Subsection (1) includes the use of a
38 wireless telephone for text messaging communication.

39 (2) Subsection (1) does not prohibit a person younger than 18 years of age from using a
40 wireless telephone while operating a motor vehicle:

41 (a) during a medical emergency;

42 (b) when reporting a safety hazard or requesting assistance relating to a safety hazard;

43 or

44 (c) when reporting a criminal activity or requesting assistance relating to a criminal
45 activity.

46 (3) A person who violates this section is guilty of an infraction.

47 (4) (a) A violation of this section is a reportable violation as defined under Section
48 53-3-102.

49 (b) Upon receiving a record of conviction under this section, the Driver License
50 Division shall assess points against the driving record of the person convicted in accordance
51 with Section 53-3-221.

Legislative Review Note
as of 12-21-06 2:46 PM

Office of Legislative Research and General Counsel

H.B. 217 - Cell Phone Restriction for Teen Drivers

Fiscal Note

2007 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

1/9/2007, 9:36:20 AM, Lead Analyst: Ricks, G.

Office of the Legislative Fiscal Analyst